

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

WALTER S. KELLY and IRIS D. KELLY

Case No.: 17-35622

Judge: JKS

Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION**

The debtor in this case opposes the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_, creditor,

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☒ Certification of Default filed by Chapter 13 Trustee,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

I have been unable to complete an updated loan modification application because some of my family members' incomes were affected by Covid-19. I filed an application for extension of loss mitigation which is pending before the Court. I ask that the certification of default be adjourned or withdrawn until I can complete and submit an updated loan modification application by year end.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: October 8, 2020

/s/ Iris Kelly  
Debtor's Signature

Date: October 8, 2020

/s/ Walter Kelly  
Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.